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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
(Richmond Division)

| | | |
|-----------------------------------|---|-----------------------|
| _____ |) | |
| In re: |) | Chapter 11 |
| |) | |
| CIRCUIT CITY STORES, INC., et al. |) | Case No. 08-35653-KRH |
| |) | |
| Debtor, |) | Jointly Administered |
| _____ |) | |

**NOTICE OF ELECTION OF SALEM ROCKINGHAM LLC TO RETAIN
POSSESSORY AND OTHER RIGHTS UNDER LEASE AGREEMENTS
DATED JUNE 30, 1993 AND SEPTEMBER 24, 1992 RELATING TO STORE 4120
PURSUANT TO 11 U.S.C. § 365(h)**

Salem Rockingham LLC ("Salem Rockingham"),¹ as successor to Robert F. Gordon and Edward C. Gordon, Trustees of Salem Farm Realty Trust, submits this Notice of Election relative to Circuit City Stores, Inc. ("Debtor"), as a reservation of rights relative to a certain lease, identified by the Debtor as No. 6127 ("1992 Lease"), which may have been automatically rejected as a result of the Debtor's rejection of the lease identified by the Debtor as No. 4120 ("1993 Lease"). See Notice of Rejection of Unexpired Leases and Abandonment of Personal Property [Docket No. 2434]; Debtor's Fifth Omnibus Motion For Order Pursuant to Bankruptcy

¹ Salem Rockingham is listed in the Debtor's schedules as "Trustees of Salem Rockingham, LLC."

Code Sections 105(a), 365(a), and 554 [Docket No. 2484]; Notice of Filing of Revised Exhibit A to Debtor's Fifth Omnibus Motion [Docket No. 2510].

Both the 1992 Lease and the 1993 Lease relate to the Debtor's store number 4120 for the premises located at 428 South Broadway, Salem, New Hampshire (the "Premises"). The 1992 Lease was executed on September 24, 1992, between Circuit City Stores, Inc. (as landlord) and Salem Rockingham LLC (as tenant and successor in interest to Robert F. Gordon, Herman Gordon, M. Michael Weinberg, Peter L. Gordon and Edward C. Gordon, as Trustees of the Salem Farm Realty Trust under Declaration of Trust dated July 22, 1986). The 1993 Lease was executed on June 30, 1993, between Circuit City Stores, Inc. (as tenant) and Circuit NH Corp. (as landlord and successor in interest to Circuit Investors #5-Salem Limited Partnership). The Court has not yet been asked to determine whether the 1992 Lease is a sublease of the 1993 Lease.

Without waiving any of its objections as to the characterization of the 1992 Lease, Salem Rockingham by and through its undersigned counsel, hereby elects to retain all of its rights under the 1992 Lease and the 1993 Lease pursuant to 11 U.S.C. § 365(h)(1)(A).

PLEASE TAKE FURTHER NOTICE that Salem Rockingham hereby elects to retain, to the fullest extent possible, the rights to use, possession, and quiet enjoyment of the Premises for the term of the 1992 Lease, including any renewal or extension periods thereunder, and further reserves its rights to offset against Salem Rockinghams's rent and other obligations, under or in connection with the 1992 Lease, the amount of damage caused by the Debtor's non-performance of its obligations under the 1992 Lease, if any, from and after the date of rejection in accordance with § 365(h)(1)(B).

Dated: May 14, 2009

POSTERNAK BLANKSTEIN & LUND LLP
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By: /s/ Laura A. Otenti
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CERTIFICATE OF SERVICE

IT IS CERTIFIED that the foregoing document was served on May 14, 2009, via first class mail, on the following parties:

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